



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

APR 23 2019

Regulatory Branch

Mr. Jeff Sawyer
Washington State Dept of Transportation
Olympic Region Environmental
Post Office Box 47440
Olympia, Washington 98504-7440

Reference: NWS-2009-211-DOT
WA St Dept of Transportation

Dear Mr. Sawyer:

We have received your revised application for a Department of the Army (DA) permit to construct a bridge over the Puyallup River and close, but not demolish the McMillin Bridge near Orting, in Pierce County, Washington. We have reviewed the information you provided to us pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. We have determined that a DA permit is not required for your proposed work as described in your application and drawings.

Under Section 10 of the Rivers and Harbors Act of 1899, a Section 10 DA permit is normally required for work or structures in or affecting navigable waters of the U.S. Because the Puyallup River is not a navigable water at your project location, a Section 10 DA permit is not required.

Under Section 404 of the Clean Water Act, a DA permit is normally required for the discharge of dredged or fill material (e.g., fill, excavation, or mechanized land clearing) into waters of the U.S., including wetlands and navigable waters of the U.S. The Puyallup River is a water of the U.S. However, because the bridge construction does not involve a discharge of dredged or fill material, a Section 404 DA permit is not required.

While a DA permit is not required, local, state, and other federal requirements may still apply. For assistance in determining other permit requirements for the proposed project, we recommend you contact the Washington State Office of Regulatory Assistance via the internet at www.ora.wa.gov.

If you have any questions, please contact the Project Manager, Ms. Sandra Manning, at (206) 764-6911 or via email at sandra.l.manning@usace.army.mil.

Sincerely,

A handwritten signature in cursive script, reading "Alisa A. Ralph". The signature is written in dark ink and is positioned above the printed name and title.

Alisa A. Ralph, Chief
Special Programs Section